



MAINE DEPARTMENT OF MARINE RESOURCES

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GROWING SHELLFISH & OTHER SPECIES ON LPA SITES

1. WRITTEN AUTHORIZATION REQUIRED TO CHANGE SOURCE OF STOCK

Recent changes to the LPA rule (DMR Rule Chapter 2.90) require you to **obtain written authorization from DMR before changing the source of stock for your LPA** from that which you most recently listed on an application or license form. This requirement is to help DMR track where stock on aquaculture sites is coming from, in the event of a disease outbreak or other issue. [Text of rule available at: <http://www.maine.gov/dmr/lawsandregs/regs/02.pdf>]

2. SHELLFISH: Source of Stock & LPA Health Areas

- **Shellfish seed or stock that comes *directly* from a Maine hatchery** can be placed on any LPA site in any LPA Health Area.
- **All other shellfish seed or stock** for an LPA site is considered “wild” and must come from the *same* LPA Health Area as that of the site, unless you have a permit (see next paragraph). “Wild shellfish seed or stock” includes:
 - Shellfish seed or stock obtained in the wild; and
 - Shellfish seed or stock that originally came from a Maine hatchery but then was placed in Maine coastal waters, including:
 - In an upweller;
 - On another LPA site;
 - On an aquaculture lease site; or
 - Anywhere else in Maine coastal waters.
- **Permit for wild shellfish seed or stock from outside Health Area:** You can use wild seed or stock from outside your LPA Health Area if you have a permit from the DMR Public Health Division under Chapter 24.05 through 24.10. Such a permit requires evidence that the seed or stock is consistent with the species authorized under the LPA rules and is free from evidence of disease. To contact the Public Health Division, call DMR at 633-9500.
- **Clam seed from hatcheries only.** Seed for hard clams or quahogs (*Mercenaria mercenaria*), hen clams (*Spisula solidissima*), and soft-shelled clams (*Mya arenaria*)

cannot be collected from the wild unless you obtain a transplant permit from DMR authorizing collection of undersized animals. Otherwise, seed for these clam species must come from a hatchery.

- **What are LPA Health Areas?** The LPA forms on DMR's website include a map and boundary descriptions of the five LPA Health Areas. Go to the web address below and click on "LPA Health Areas":

http://www.maine.gov/dmr/aquaculture/aquaculture_lease_applications.htm

HATCHERIES known to DMR that currently provide shellfish seed in Maine are:

- Muscongus Bay Aquaculture on Muscongus Bay in Bremen
- Mook Sea Farms on the Damariscotta River in Walpole (requires DMR permit for American oyster seed)
- Down East Institute on Beals Island off Jonesport

3. OYSTER MOVEMENT RESTRICTIONS

To prevent the spread of certain oyster diseases, the movement of all European oysters (*Ostrea edulis*) and of certain American oysters (*Crassostrea virginica*), is restricted as follows under DMR Rule Chapter 24.10 (4):

- To move **any** European oysters, including hatchery seed, **anywhere** in Maine coastal waters, you must first obtain a DMR permit. Testing of oysters may be required.
- Except for hatchery seed for which you have a DMR permit, **NO American oysters from the Damariscotta or Johns Rivers** (all coastal waters north of a line between Ocean Point, Boothbay and Pemaquid Point, Bristol) **can be moved anywhere in Maine coastal waters.**
- For information on permits for moving or importing shellfish seed and stock, contact Marcy Nelson of DMR at marcy.nelson@maine.gov or call Ms Nelson at 633-9500.

4. GROWING MARINE ALGAE AND GREEN SEA URCHINS ON LPAs

DMR has recently added marine algae and green sea urchins to the list of species that can be cultured on LPA sites.

- **Source of stock:** Marine Algae and green sea urchin stock must be obtained or cultured from stock originating in Maine coastal waters. The LPA Health Area requirements do not apply to marine algae or green sea urchin stock. Marine algae include all seaweeds such as reds, greens, browns, or kelps.

- **Exemption from water quality requirements:** Marine algae and green sea urchins are not subject to requirements regarding water quality at the LPA site. This means that if **only** marine algae and/or green sea urchins are grown on an LPA site, the site can be located anywhere in Maine coastal waters that otherwise meets the LPA requirements, regardless of the water quality classification of the area.
- **No exemption if grown with shellfish:** If marine algae and/or green sea urchins are listed as authorized species on an LPA that is **also** authorized to cultivate molluscan shellfish, then all requirements regarding water quality at the site apply (see DMR Rule Chapter 2.90(3) (C)).
- **Gear for growing marine algae include:** rope, rafts with ropes attached, bags, long lines (vertical or horizontal), or rope grids. Ropes or bags may be placed on the surface or submerged. **NOTE:** Adding marine algae to an LPA will probably require amending your Army Corps permit, because of the change in gear. Green sea urchins can be raised using any gear allowed for other LPA species.
- **Feeding sea urchins:** Feeding marine algae to sea urchins does not constitute a “discharge”, so no Clean Water Act permit is required (C. 2.90 (5) (A)).